

HOUSE BILL REPORT

SB 6481

As Passed House - Amended:

February 28, 2010

Title: An act relating to clarifying which local governments have jurisdiction over conversion-related forest practices.

Brief Description: Clarifying which local governments have jurisdiction over conversion-related forest practices.

Sponsors: Senators Morton, Schoesler, Holmquist, Hewitt, King, Delvin and Swecker.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/18/10, 2/19/10 [DPA].

Floor Activity:

Passed House: 2/28/10, 93-1.

Brief Summary of Bill (As Amended by House)

- Limits the number of counties that are required to adopt local forest practices ordinances to counties that plan under the Growth Management Act with a population greater than 100,000 citizens.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass as amended. Signed by 13 members: Representatives Blake, Chair; Ormsby, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Jacks, Kretz, Lias, McCoy, Nelson, Pearson, Rolfes, Van De Wege and Warnick.

Staff: Jason Callahan (786-7117).

Background:

Counties planning under the Growth Management Act (GMA), and the cities located in those counties, are required to adopt and enforce ordinances or regulations relating to forest

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practices if forest landowners located within the county filed at least 25 class IV forest practices applications between the years of 2003 and 2005. Generally, class IV forest practices consist of activities where conversion to non-forestry use is at issue or that have the potential for substantial impact on the environment.

The regulations that these counties are required to adopt and enforce relate to all forest practices taking place within an urban growth area on parcels less than 20 contiguous acres or on parcels greater than 20 acres if the owner states an intent to not convert the land to non-forestry uses. Outside of the urban growth area, the affected counties are required to adopt and enforce regulations relating to class IV forest practices only.

Counties that do not plan under the GMA, and counties that plan under the GMA but that did not have enough forest practices applications to trigger the requirement to adopt forest practices regulations, may adopt local regulations but are not required to do so.

All counties must ensure that the critical area and development regulations for that county are updated prior to adopting local forest practices regulations. The Forest Practices Board maintains jurisdiction over all forest practices occurring in a county that do not have compliant critical area ordinances.

Summary of Amended Bill:

The test to determine whether a county is required to adopt local forest practices ordinances is changed. Instead of all counties that plan under the GMA being required to adopt local forest practices ordinances, all counties that plan under the GMA with a population greater than 100,000 are required to adopt local ordinances.

The affected counties are: Clallam, Ferry, Island, Jefferson, Lewis, Stevens, and Pend Oreille.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill would be useful to some of the smaller counties in the state. Counties usually prefer local control but currently lack the resources and expertise necessary to fulfill the existing statutory requirements.

(Opposed) None.

Persons Testifying: Senator Morton, prime sponsor; and Jim Potts, Rural Counties.

Persons Signed In To Testify But Not Testifying: None.